

Claim Amendments

The following list of claims is currently pending in the application:

1-36. (Canceled)

37. (Currently Amended) The method of claim [[48]] 49, wherein the projected contingent payments are calculated based on an expected value of the contingent payments as of an issue date of the convertible debt instrument.

38-39. (Canceled)

40. (Currently Amended) The method of claim [[48]] 49, further comprising making adjustments to the contingent payments based on a comparison of projected contingent payments to actual contingent payments.

41. (Previously Presented) The method of claim 40, wherein if the actual contingent payments are greater than the projected contingent payments, a positive adjustment to the contingent payments is made.

42. (Previously Presented) The method of claim 40, wherein if the actual contingent payments are less than the projected contingent payments, a negative adjustment to the contingent payments is made.

43. (Previously Presented) The method of claim 48, wherein the convertible debt instrument is remarketed as a new straight debt instrument.

44. (Previously Presented) The method of claim 48, wherein the convertible debt instrument is remarketed as a new convertible debt instrument.

45. (Previously Presented) The method of claim 48, further comprising, prior to remarketing the convertible debt instrument, determining whether to remarket the convertible debt instrument based on a comparison of a price for a stock underlying the convertible debt

instrument and a conversion price which specifies a dollar amount at which the convertible debt instrument can be converted into common stock of the issuer at a remarketing time.

46-47. (Canceled)

48. (Currently Amended) A financial computer-implemented method related to convertible debt instruments, the method comprising the steps of:

determining, by issuing, using a computer system, interest for an accrual period for a convertible debt instrument issued by an issuer to a holder, wherein the convertible debt instrument comprises:

a maturity term;

a conversion provision providing that the holder is entitled to exchange the convertible debt instrument for another asset under certain conditions;

a contingent payment provision that provides that the holder is entitled to a contingent payment upon the occurrence of one or more specified conditions; and

a remarketing provision that provides that the convertible debt instrument may be remarketed to new investors under certain conditions; and

wherein the convertible debt instrument does not have any put provisions;

wherein the interest for the convertible debt security is based on a product of at least (1) a comparable yield for the convertible debt instrument and (2) an adjusted issue price for the convertible debt instrument at the beginning of the accrual period,

wherein the comparable yield for the convertible debt instrument is based on a yield at which a comparable fixed-rate non-convertible debt instrument would be issued, wherein the comparable fixed-rate non-convertible debt instrument has a maturity term that is the same as the maturity term of the convertible debt instrument; and

determining, by the computer system, a tax deduction amount for the issuer for the accrual period based on the comparable yield and a projected payment schedule of projected payments for the convertible debt instrument, remarketing, at a remarketing time, using the computer system, the convertible debt instrument to one or more new investors, wherein, after the remarketing time, from the issuer's perspective, the convertible debt instrument remains outstanding and potential recapture of excess tax benefits associated with the convertible debt instrument is postponed until the convertible debt instrument ceases to be outstanding; and

~~calculating wherein the projected payments include non-contingent payments and projected contingent payments for the convertible debt instrument with the computer system, wherein the computer system comprises one or more data storage media such that the projected payments and an issue price of the convertible debt instrument produce the comparable yield, and wherein the computer system communicates electronic data over a computer network.~~

49. (Currently Amended) A The financial method of claim 48, further comprising the steps of:

~~issuing, using a computer system, a convertible debt instrument by an issuer to a holder, wherein the convertible debt instrument does not have any put provisions, and wherein the convertible debt instrument comprises:~~

~~a maturity term;~~

~~a conversion provision providing that the holder is entitled to exchange the convertible debt instrument for another asset under certain conditions;~~

~~a contingent payment provision that provides that the holder is entitled to a contingent payment upon the occurrence of one or more specified conditions; and~~

~~a remarketing provision that provides that the convertible debt instrument may be remarketed to new investors under certain conditions at a remarketing time, wherein after remarketing, from the issuer's perspective, the convertible debt instrument remains outstanding and potential recapture of excess tax benefits associated with the convertible debt instrument is postponed until the convertible debt instrument ceases to be outstanding; and~~

~~calculating the projected contingent payments for the convertible debt instrument with the computer system, wherein the computer system comprises one or more data storage media, and wherein the computer system communicates electronic data over a computer network.~~

50-62. (Canceled)